

REMARKS

Claims 1 and 3-9 are pending herein.

In the previous Final Rejection, claims 1, 3-4 and 8 were rejected under 35 U.S.C. §102(b) over JP 517. Non-rejected claim 2 was incorporated into claim 1 to overcome the rejection.

In the previous Final Rejection, claims 1-9 were rejected under 35 U.S.C. §103(a) over JP 960 in view of JP 919, Taniguchi and Hahn, and claims 2, 5-7 and 9 were rejected under 35 U.S.C. §103(a) over JP 517 in view of Taniguchi and Hahn. For all of the reasons set forth in the July 21, 2003, Amendment After Final Rejection, the pending claims are patentable over the cited references.

In further support of patentability of the claimed invention, Applicants submit the attached Declaration Under Rule 132 by Masato Suzuki, one of the co-inventors of the present application.

Independent claim 1 is directed to a laminated plastic molded body being a three-layered or five-layered laminated plastic molded body in which a resin layer A and a resin layer B are laminated alternately, and the resin layer A is a poly(ethylene terephthalate) resin layer, and the resin layer B interposed between said resin layers A is a polyolefin resin layer having a cyclic olefin component, wherein the total weight of the poly(ethylene terephthalate) resin constituting the resin layer A is 95 to 55% by weight and the total weight of the polyolefin resin layer having the cyclic olefin component constituting the resin layer B is 5 to 45% by weight. Such a laminated plastic molded body is not taught or suggested by the cited references.

Claim 1 specifically requires that a proportion of the poly(ethylene terephthalate) resin constituting the resin layer A to the total weight of the polyolefin resin layer having the cyclic olefin component constituting the resin layer B be in the range 95-55% : 5-45%. This

claimed proportion range provides significant and unexpected results over the prior art, which are not taught or suggested by the cited references.

The attached Declaration demonstrates that the claimed proportion of resins provides significant and unexpected properties in terms of reduced oxygen and water permeability through the laminated plastic molded body, such as through a molded bottle. The Declaration demonstrates that when the proportion is within the claimed range, both oxygen and water permeability is low. That is, the claimed proportion provides a laminated plastic molded body that exhibits both low acceptable oxygen barrier property, and improved water barrier property. Such results are nowhere taught or suggested in the cited references.

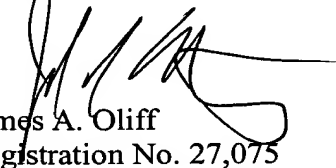
Neither JP 960 nor JP 919 provides any teaching of a specific molar ratio between the component resins. JP 960 is entirely silent with respect to a molar ratio relationship between the layers A and B. JP 919 is directed only to a single-layer structure, and thus cannot teach any molar ratio relationship between two separate layers. JP 517 likewise does not teach or suggest any specific molar ratio between the disclosed layers. The remaining references, Taniguchi and Hahn, are cited only for specific resin materials.

Thus, none of the cited references teach or suggest that any specific molar ratio should be used, much less that the specific claimed molar ratio would provide significant unexpected results. The cited references thus do not teach or suggest the claimed invention.

In view of the foregoing remarks, Applicants submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Joel S. Armstrong
Registration No. 36,430

JAO:JSA

Attachment:
Declaration Under Rule 132

Date: April 21, 2004

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
